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Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

- - - - - - - - - x In re: Chapter 11 CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH) e<u>t</u> <u>al</u>., Debtors. : Jointly Administered

## SUPPLEMENTAL ORDER ON DEBTORS' SIXTY-SEVENTH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF (I) CERTAIN AMENDED CLAIMS; AND (II) CERTAIN DUPLICATE CLAIMS)

THIS MATTER having come before the Court on the Debtors' Sixty-Seventh Omnibus Objection to Claims (Disallowance of (I) Certain Amended Claims; and (II) Certain Duplicate Claims) (the "Objection"), which requested, among other things, that the claims specifically identified on Exhibit C and Exhibit D attached to the
Objection be disallowed for those reasons set forth in the
Objection; and it appearing that due and proper notice and
service of the Objection as set forth therein was good and
sufficient and that no other further notice or service of
the Objection need be given; and it further appearing that
certain Claimants filed a response to the Objection; and the
Court having entered an Order on the Objection (Docket No.
7069) (the "Initial Order"); and it appearing that the
relief requested on the Objection is in the best interest of
the Debtors, their estates and creditors and other partiesin-interest; and after due deliberation thereon good and
sufficient cause exists for the granting of the relief as
set forth herein,

## IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. Notwithstanding the Initial Order, the claim identified under the column entitled "Claim to be Disallowed" on <a href="Exhibit A">Exhibit A</a> as attached hereto and incorporated herein (the "Disallowed Claim"), is disallowed for all purposes in these bankruptcy cases; <a href="provided">provided</a>, <a href="however">however</a>, for the avoidance of doubt, the claim identified under the column entitled "Surviving Claim" shall not be disallowed.
  - 2. Notwithstanding the Initial Order, the Objection is

withdrawn without prejudice as to the claim identified on <a href="Exhibit B"><u>Exhibit B</u></a> (as attached hereto and incorporated herein); <a href="provided">provided</a>, further, that the Debtors' rights and abilities to object to the claim on <a href="Exhibit B">Exhibit B</a> on any available grounds and bases applicable law permits are hereby preserved in their entirety and nothing herein shall be construed or deemed to limit or impair such rights and abilities.

- 3. The Debtors' rights and abilities to object at a later time to any claim included in the Objection on any grounds and on any bases that bankruptcy or non-bankruptcy law permits are expressly preserved in their entirety; provided, however, to the extent each "Claim To Be Disallowed" was timely filed, the Debtors will not object to the corresponding "Surviving Claim" as untimely, except to the extent, under applicable provisions of the Bankruptcy Code and Bankruptcy Rules, the "Surviving Claim" included a new claim that would not relate back to the original date on which the "Claim To Be Disallowed" was filed.
- 4. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.
- 5. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or

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before seven (7) days from the entry of this Order.

Dated: Richmond, Virginia \_\_\_\_\_\_, 2010

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

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In re: Circuit City Stores, Inc, et al.

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Supplemental Order (Disallowenes Of Contains)

Case No. 08-35653-KRH

Supplemental Order (Disallowance Of Certain Amended Claims) - Ordered

**EXHIBIT A** 

CLAIM TO BE DISALLOWED *				SURVIVING CLAIM *					
Claim: 12402 Date Filed: 04/29/2009 Creditor's Name and Address:	Debtor: CIRCUIT CITY STORES, 1 Secured: Priority:	INC. (08-35653)		Claim: Date Filed: Creditor's Name an	14787 01/07/2010 ad Address:	Debtor:	CIRCUIT CITY STORES Secured: Priority:	S, INC. (08-35653)	
CHASE BANK USA NATIONAL ASSOCIATION	Administrative:  Reclamation::			ATTN DANIEL P T			Administrative:  Reclamation::		
ATTN DANIEL P TIERNEY 201 N WALNUT ST 3 CHRISTINA CTR WILMINGTON, DE 19801	Unsecured: Total:	\$37,182,615.00 \$37,182,615.00		201 N WALNUT ST 3 CHRISTINA CTR WILMINGTON, DE			Unsecured: Total:	\$33,789,082.00 \$33,789,082.00	

**Total Claims To Be Amended:** 

\$37,182,615.00 **Total Asserted Amount To Be Amended:** 

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Case No. 08-35653-KRH

Debtors' Sixty-Seventh Omnibus Objection to Claims Supplemental Order (Disallowance Of Certain Amended Claims) - Withdrawn

## **EXHIBIT B**

CREDITOR'S NAME AND ADDRESS	CLAIM	ASSERTED		DATE	DOCKETED
	NUMBER	CLAIM AMOUNT *		FILED	DEBTOR
THE COLUMBUS DISPATCH WELTMAN WEINBERG & REIS CO LPA 175 S THIRD ST STE 900 COLUMBUS, OH 43215	12386	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$98,246.66 \$98,246.66	04/24/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 1 \$98,246.66